

112TH CONGRESS
1ST SESSION

H. R. 3173

To direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 2011

Mr. SCALISE (for himself, Mr. YOUNG of Alaska, Mr. KING of New York, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, and Mr. RICHMOND) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds the following:

5 (1) United States workers employed at nearly
6 2,600 marine facilities and onboard nearly 13,000

1 United States-flag vessels are required to carry a
2 Transportation Worker Identification Credential
3 (TWIC) under the Maritime Transportation Security
4 Act of 2002 (MTSA). Department of Homeland Se-
5 curity (DHS) regulations require merchant mariners
6 who hold a Coast Guard-issued Merchant Mariner
7 Credential (MMC) and individuals who require
8 unescorted access to secure areas of MTSA-regu-
9 lated vessels and facilities to carry a TWIC.

10 (2) To date, nearly two million transportation
11 workers have applied for and received a TWIC. Ap-
12 plicants must pay \$132.50 to obtain the TWIC, and
13 make two or more trips to an enrollment center to
14 apply for, and then to pick up and activate, their
15 TWIC.

16 (3) A TWIC is valid for a maximum of five
17 years, at which time the cardholder must request
18 issuance of a new card. This process requires work-
19 ers to make an additional two or more trips to the
20 enrollment center and again pay \$132.50 to receive
21 a new card.

22 (4) In addition to the cost of the card, workers
23 face the burden of making two or more time-con-
24 suming and often expensive round trips to a TWIC
25 enrollment center. In many instances, the nearest

1 enrollment center is hundreds of miles from a work-
2 er's home.

3 (5) The TWIC enrollment process requiring two
4 or more round trips to an enrollment center is not
5 mandated by statute or by regulation. The process
6 is driven by a DHS policy decision to align the re-
7 quirements for TWIC issuance with standards for
8 Personal Identity Verification (PIV) for Federal em-
9 ployees and contractors. These standards are con-
10 tained in Federal Information Processing Standard
11 Publication 201 (FIPS-201).

12 (6) While DHS has made the policy decision to
13 generally align the TWIC enrollment process with
14 the FIPS-201 standard, the Department may elect
15 to deviate from this standard in instances where it
16 believes an alternative approach is more appropriate
17 for the TWIC program.

18 (7) Unlike other Government-issued credentials
19 that adhere to the FIPS-201 standard, the TWIC
20 is effectively a work permit for a highly-mobile pri-
21 vate sector workforce.

22 (8) Possession of a TWIC does not allow a
23 TWIC holder to gain unescorted access to secure
24 areas of MTSA-regulated vessels and facilities unless
25 the TWIC holder is authorized to do so under a

1 Coast Guard-approved vessel or facility security
2 plan.

3 (9) DHS has the statutory authority and regu-
4 latory flexibility to develop an alternative process for
5 TWIC enrollment and issuance that does not require
6 applicants to make multiple trips to a TWIC enroll-
7 ment center.

8 (10) Other secure Government-issued identity
9 documents, including United States passports, can
10 be distributed to applicants by mail.

11 **SEC. 2. SENSE OF CONGRESS.**

12 To avoid further imposing unnecessary and costly
13 regulatory burdens on United States workers and busi-
14 nesses, it is the sense of Congress that it is urgent that
15 the TWIC application process be reformed by not later
16 than the end of 2012, when hundreds of thousands of cur-
17 rent TWIC holders will begin to face the requirement to
18 renew their TWICs.

19 **SEC. 3. TWIC APPLICATION REFORM.**

20 Not later than 90 days after the date of the enact-
21 ment of this Act, the Secretary of Homeland Security shall
22 reform the process for the enrollment, activation, issuance,
23 and renewal of a Transportation Worker Identification
24 Credential (TWIC) to require, in total, not more than one
25 in-person visit to a designated enrollment center except

- 1 in cases in which there are extenuating circumstances, as
- 2 determined by the Secretary, requiring more than one
- 3 such in-person visit.

